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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,160	06/30/2003	Yoshiko Naitoh	03560.003328.	8128
5514 7590 05/26/2009 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER HUSSAIN, TAUQIR				
ART UNIT 2452		PAPER NUMBER		
MAIL DATE 05/26/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/608,160

Applicant(s)

NAITOH, YOSHIKO

Examiner

TAUQIR HUSSAIN

Art Unit

2452

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,11,13,15,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,11,13,15,21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment /reconsideration filed on 03/02/2009, the amendment/reconsideration has been considered. Claims 1, 3, 5, 11, 13, 15, 21, and 22 are pending for examination, the rejection cited as stated below.

Response to Arguments

2. Applicant's arguments filed on 03/02/2009 have been fully considered but they are not deemed to be persuasive. In the remarks, applicant argued in substance that
 - (a) Prior art "Yada, Schlonski and O'Neal" does not teach, determination unit that determines, "whether at least one of the first device identification information and the second device identification information is being managed.As to point (a) Examiner respectfully disagree and points to Yada [0009], where Yada discloses, information identifying an asset belonging to each section and information identifying a connection node capable of connecting the asset at each section to the computer network is registered; the asset management client is provided with a storage medium for storing, in association with information identifying the belonging section of the asset management client, management information of an asset including information identifying an asset belonging to the section of the asset management client and information identifying a connection node of the computer network to which the asset is connected; and a controller connected to the storage medium, and the controller is capable of gathering the management information of the asset belonging to the section of the asset

management client which management information is included in information circulating over the computer network and includes information identifying an asset, being managed.

(b) Prior art "Yada, Schlonski and O'Neal" does not teach, an alarm notification to the administrator is restricted, if it is determined that the MAC address and IP address are not those of an asset being managed.

As to point (b), Prior art "Yada, Schlonski and O'Neal" teaches, especially Yada and Schlonski discloses an asset management similar to the instant application and Yada discloses, in paragraph [0056-0062], where IP and MAC addresses are extracted via various mechanism. Yada even discloses, notification is sent to an administrator if asset is discovered which is not being managed yet. In reference to an alarm notification to the administrator is restricted; Examiner invites the applicant to bring this language into the claim to expedite the prosecution.

Other arguments have been repeated and detail explanations can be found in previous office actions.

3. Examiner will suggest the applicant to bring the subject matter in the claim in reference to paragraph [0131, 0137-0140] from specification and in light of Fig.9, Fig.10. and define the device attribute among first and second devices are e.g. computer, printer and which device is associated with IP address or MAC address.

Current claim language has some ambiguity about devices with IP or MAC identification in terms of first, second and predetermined devices or is any of the first or

second devices itself is a predetermined device? Applicant is also invited to call the examiner if any further clarification is needed?

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claim 1, 3, 5, 13, 15 and 21-22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yada (Pub. No.: Us 2001/0029474 A1), hereinafter "Yada" in view of Schlonski et al. (Pub. No.: US 2003/0093521 A1), hereinafter "Schlonski" and further in view of O'Neal et al (Patent No: US 6,711,154 B1), hereinafter "O'Neal".
6. Yada, Schlonski and O'Neal have been cited as prior arts in the last office action. The teachings that applicable are respectfully maintained and incorporated by reference as set forth in the last office action.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571 272 3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H./
Examiner, Art Unit 2452

/Dohm Chankong/
Primary Examiner, Art Unit 2452